

OHIO STATE DENTAL BOARD

BOARD MEETING

MARCH 9, 2016

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OHIO STATE DENTAL BOARD

BOARD MEETING

MARCH 9, 2016

Attendance

The Ohio State Dental Board (Board) met in Room 1960, of The Vern Riffe Center for Government and the Arts, 77 South High Street, 19th Floor, Columbus, Ohio on March 9, 2016, beginning at 1:00 p.m. Board members present were:

Marybeth Shaffer, D.M.D., President
Constance Clark, R.D.H., Vice President
Ashok Das, D.D.S., Secretary
Martin Chambers, D.D.S., Vice Secretary
Ann Aquillo

Patricia Guttman, D.D.S.
Chris Hanners, D.D.S.
Jeanne Huber, R.D.H.
Susan Johnston, R.D.H.
Charles Smith, D.D.S.

The following guests were also in attendance: Katherine Bockbrader, Esq. of the Ohio Attorney General's Office, Nathan DeLong, Esq., and Henry Fields, D.D.S. of the Ohio Dental Association (ODA); Mark Wenzel, D.D.S., of the ODA's Dentists Concerned for Dentists; Emily Whitmore, Dental Hygiene Practicum Student from The Ohio State University College of Dentistry Department of Dental Hygiene, Harry Kamdar, M.B.A., Executive Director, Lyndsay Nash, Esq., Deputy Director, Kathy Carson, Dental Board Enforcement Officer, Heidi Massaro, Compliance Coordinator, and Malynda Franks, Administrative Professional, of the Ohio State Dental Board.

Call to Order

Dr. Marybeth Shaffer introduced herself as the Board President, a general dentist from Columbiana. After extending greetings to everyone President Shaffer noted that there was a quorum present and called the meeting to order at approximately 1:06 p.m.

Board Business

Introduction of Board Members

President Shaffer then introduced the rest of the Board members. She introduced Ms. Connie Clark, the Board's Vice President and a dental hygienist from Dublin, Dr. Ashok Das, the Board's Secretary, a general dentist from Mason, Dr. Martin Chambers, the Board's Vice Secretary, a general dentist from Cleveland, Dr. Chris Hanners, a general dentist from Piketon, Dr. Patricia Guttman, a general dentist from Columbus, Dr. Charles Smith, a general dentist from Tipp City, Ms. Jeanne Huber, a dental hygienist from Dayton, Ms. Susan Johnston, a dental hygienist from Columbus, and Ms. Ann Aquillo, the Board's Public member from Powell.

Approval of Agenda

Motion by Ms. Johnston, second by Dr. Smith, to approve the March 9, 2016 Board meeting agenda as presented.

Motion carried unanimously.

Review of Board Meeting Minutes

February 3, 2016

Motion by Ms. Johnston, second by Ms. Aquillo, to approve the February 3, 2016 Board meeting minutes as presented.

Motion carried unanimously.

Public Comment/Presentations/Correspondence

President Shaffer noted that she had received some correspondence that she would share with the members of the Board during her President's Report later in the meeting.

Supervisory Investigative Panel Report

Dr. Das, as Secretary, attested that he had spent in excess of twenty (20) hours per week attending to Board business. Dr. Chambers, the Board's Vice Secretary, attested that he had spent in excess of twenty (20) hours per week attending to Board business.

Motion by Ms. Clark, second by Ms. Johnston, to approve the Supervisory Investigative Panel report.

Motion carried unanimously.

Action Items

Conference Travel

President Shaffer stated that during the Board meeting in February it was decided that she would be attending the American Association of Dental Boards (AADB) Mid-year Meeting in Chicago, Illinois on April 10, 2016 and April 11, 2016 along with Ms. Clark, Ms. Johnston, and Director Kamdar. Dr. Shaffer stated that, unfortunately, Ms. Clark would no longer be able to attend. Dr. Shaffer asked if the Board would like to consider reimbursement for travel and expenses for Ms. Johnston to go in place of Ms. Clark.

Motion by Dr. Hanners, second by Ms. Aquillo, to approve reimbursement for travel and expenses for Ms. Johnston to attend the AADB meeting in April 2016.

Motion carried unanimously.

President Shaffer then requested that the members consider a motion to approve reimbursement for travel and expenses for Director Kamdar to attend the AADB meeting in April as well. She stated that during the AADB there is a session for dental board administrators and our Board typically funds the Executive Director to attend the meeting where there is a consortium of all dental boards.

Motion by Ms. Johnston, second by Ms. Aquillo, to approve reimbursement for travel and expenses for Director Kamdar to attend the AADB meeting in April 2016.

Motion carried unanimously.

President Shaffer mentioned that there is another position provided through the ADA to the AADB meeting as a state representative from the board. She stated that if anyone was interested in the position to bring their name forward. Hearing none, President Shaffer moved on to the next item on the agenda.

2016 Board Meeting Schedule

President Shaffer reminded the members that during the meeting in February they had come to consensus to move the May Board meeting date from May 11, 2016 to May 18, 2016. She stated that she thought a vote had been taken at that time, however, that had not been the case. She stated that she would now like the members to consider a motion to formalize the change in the Board meeting schedule.

Motion by Ms. Clark, second by Dr. Smith, to amend the Ohio State Dental Board meeting schedule to reflect that the meeting would be now held on May 18, 2016.

Motion carried unanimously.

Finance Update

President Shaffer then turned the meeting over to Pamela Cartwright, Fiscal Officer for the Board to give the Finance Update. Ms. Cartwright introduced herself and first thanked the members for their patience and understanding for the last several months and also thanked Director Kamdar for his direction in the development of the new finance reporting format. She then explained the new Summarized Statement of Revenue and Expenses report to the Board. She explained that the first set of three (3) columns delineated the history of the first seven (7) months of actual revenue and expenses of the Board for FY 2016, the amount of monies budgeted for Board expenses, and the variance between the actual and the budgeted amounts.

Ms. Cartwright then explained the next set of three (3) columns were the projected figures through the end of FY 2016, the amount budgeted for that same timeframe, and the variance between the projected figures and the budgeted amounts. She then explained the color-coded legend to the members as follows:

- Green denoted that there was a low level of concern because expenditures or projected expenditures were below the amounts budgeted.
- Yellow denoted that there was a medium level of concern because actual or projected expenditures were very close to the budgeted amount; and
- Red denoted a high level of concern as the actual or projected expenditures had exceeded the budgeted amounts.

Ms. Cartwright stated that the report showed the licensure fees under revenue as zero balances and in the green. She stated that her plan is to work on developing a way to look at our actual and our projected revenue for the rest of the year and hopefully provide that at their next meeting. She directed the members to the cells highlighted in red and stated that those figures represent the Board overhead and State Back-

office charges. She stated that these figures represent expenses such as overhead, office supplies, travel, telephones, state printing, bank fees, etc. Ms. Cartwright indicated that having just completed the renewal process for dentists and hygienists increased these expenses due to increased printing and mailing receipt cards and the bank fees for processing of credit card payments. She stated that they would be watching the budget closely to see where the Board could cut back on those expenses until the end of the year in order to balance the budget.

Director Kamdar commented that this was their "first shot" at trying to make sense of the Boards' finances. He indicated that this was the first time they have provided the actual figures versus the budgeted amounts. He stated that they do not know the fiscal history, and, therefore, are unsure if the overhead is high or low on the off years. He stated that there is a surplus, but that does not mean we can expand our spending habits. Director Kamdar stated that the Board needs to save that for the second year of the biennium. He explained that once they get a few of these reports completed and evaluated they will be able to give the members a better projection. He commented that he is concerned about the overhead in the state back office just from the perspective that the Board is involved with the eLicensing project and any related charges along with payments being made toward the Matrix software for complaint management. Director Kamdar indicated that the Board would like to explore an online solution for continuing education tracking, but he is unaware of the cost of that program. Director Kamdar concluded that this report is the first step in showing elevated fiscal responsibility which may require future discussions with the Department of Administrative Services and Office of Budget and Management.

Motion by Ms. Aquillo, second by Ms. Johnston, to approve the Finance Update as presented.

Motion carried unanimously.

Enforcement

Personal Appearances

Michael Misencik, D.D.S.

President Shaffer then turned the meeting over to Deputy Director Nash to provide the summary for the Personal Appearance of Dr. Michael Misencik.

Ms. Nash informed the Board members that Dr. Misencik made his first personal appearance for this consent agreement in July 2015. She stated that the Board did not reinstate work privileges at that time, but invited him back to the September Board meeting. Ms. Nash said that Dr. Misencik had his second appearance before them on September 16, 2015, wherein they reinstated his license to practice and granted him up to twenty (20) hours of work privileges. In October 2015, she stated that the former employer of Dr. Misencik had submitted a letter at that time in regards to the possibility of the Board granting Dr. Misencik additional work privileges. Ms. Nash indicated that it was at the October 2015 Board meeting and his third appearance before the Board that they granted Dr. Misencik up to thirty-two (32) hour of working privileges.

Ms. Nash explained that Dr. Misencik was appearing before the members to ask for unrestricted working privileges.

Upon questioning by the Board, Dr. Misencik stated the he has been working two (2) days in his Akron, Ohio office and two (2) days in his Warren, Ohio office. He explained to the Board that the thirty-two hour maximum practice privileges is working well for him and that he really does not want to increase his practice hours. However, he indicated that his malpractice insurance is extremely high due to him being considered "high risk" because the carrier views the working privileges limitation as a restriction of his license to practice. Additionally, Dr. Misencik stated that the working privileges restriction affects his ability to be a provider for certain insurance carriers. He clarified that was the only reason he was appearing before them to request unrestricted working privileges.

Continuing on, Dr. Misencik stated that he continues to attend all his caduceus and Alcoholics Anonymous (AA) meetings and that his urine screens have all yielded negative results. He explained that things were going well with his family, that his daughter is now living with him again, and that they have recently been visiting colleges in preparation for the next step in her education. Dr. Misencik said that he has almost daily contact with his sponsor, that he has a good sober group of friends that he interacts with daily, and that he is coming up on his one (1) year anniversary for his sobriety, March 25, 2016.

Dr. Misencik told the Board that he currently is experiencing an issue with patients at his old office and their inability to obtain access to their records. He explained that he had been in the process of buying the practice when he went into treatment for his addiction. He stated that the dentist/owner that he was buying the practice from had closed the office, removed his signage and he is currently working with an attorney to gain access to his patient records. Dr. Misencik indicated that he is currently being sued for past monies not received but that he hopes to resolve this matter soon.

President Shaffer thanked Dr. Misencik for sharing his information and stated that the Board would discuss this matter during executive session.

Executive Session

Motion by Dr. Hanners, second by Ms. Johnston, to move the Board into executive session to consider the investigation of charges or complaints against a licensee and to confer with Board counsel regarding a pending or imminent court action pursuant to Ohio Revised Code Section 121.22(G)(1) and (3) of the Ohio Revised Code.

Roll call vote: Ms. Aquillo – Yes
Dr. Chambers – Yes
Ms. Clark – Yes
Dr. Das – Yes
Dr. Guttman – Yes
Dr. Hanners – Yes
Ms. Huber – Yes
Ms. Johnston – Yes
Dr. Shaffer – Yes
Dr. Smith – Yes

Motion carried unanimously.

President Shaffer requested Director Kamdar, Ms. Nash, and Ms. Bockbrader to attend the Executive Session at the appropriate time to provide the legal update.

Open Session

At 2:15 p.m. the Board resumed open session.

In the Matter of Michael Misencik, D.D.S.

President Shaffer welcomed everyone back to the open session of the Board and then stated that the Board would like to make a motion in the Matter of Michael Misencik, D.D.S.

Motion by Ms. Johnston, second by Dr. Hanners, that the Ohio State Dental Board remove the limit of thirty-two (32) hour work restriction of Dr. Misencik but Dr. Misencik must still comply with all the other aspects of his consent agreement.

Motion carried unanimously.

Referral of Investigation to the Office of the Inspector General

President Shaffer asked if there were any other motions to be made out of Executive Session.

Motion by Dr. Hanners, second by Ms. Johnston, to make a referral to the office of the inspector general to investigate the potential violations of state law by the former director.

Motion carried unanimously.

Enforcement Report

Review of Proposed Consent Agreement(s)

The Board reviewed four (4) proposed Consent Agreements. The names of the individuals/licensees were not included in the documents reviewed by the Board. The names of the individuals/licensees have been added to the minutes for public notice purposes.

Disciplinary

Faye V. Asser, Dental Assistant

Motion by Ms. Clark, second by Ms. Johnston, to approve the proposed consent agreement for Faye V. Asser, dental assistant radiographer certificate number 51.018328, coronal polishing certificate number CP.1285, Expanded function dental auxiliary registration number EFDA.2356 and case number 15-18-0190.

Motion carried unanimously.

Non-Disciplinary

Aditya Chhibber, B.D.S.

Motion by Ms. Johnston, second by Ms. Aquillo, to approve the dental licensure application and proposed consent agreement limiting the license to the practice of orthodontics for Aditya Chhibber, B.D.S., license number 30.024683.

Motion carried unanimously.

Hyewon Choi, D.D.S.

Motion by Ms. Johnston, second by Dr. Das, to approve the dental licensure application and proposed consent agreement limiting the license to the practice of orthodontics for Hyewon Choi, D.D.S., license number 30.024684.

Motion carried unanimously.

Azadeh Eslami, D.D.S.

Motion by Ms. Johnston, second by Dr. Das, to approve the dental licensure application and proposed consent agreement limiting the license to the practices of periodontics and orthodontics for Azadeh Eslami, D.D.S., license number 30.024685.

Motion carried unanimously.

Enforcement Update

Ms. Nash began the report by informing the Board that there are two (2) cases pending hearings both of which have been scheduled before hearing examiners and that there are no pending Hearing Examiners Report and Recommendations. She indicated that there were currently forty-five (45) licensees and certificate holders under suspension, forty-nine (49) licensees on probation, and informed the Board members that there were two hundred and six (206) active cases. Ms. Nash said that there were two (2) licensees actively participating in QUIP and no new referrals to QUIP. She informed the members that there were thirty-five (35) cases which have been investigated and reviewed by the Board Secretaries and are recommended to be closed with six (6) warning letters issued.

Closed Cases

Due to the requirement in Chapter 4715.03(B) of the Ohio Revised Code, that "A concurrence of a majority of the members of the board shall be required to... ..(6) Dismiss any complaint filed with the board.", President Shaffer reviewed the cases to be closed with the Board.

The following cases are to be closed:

13-87-0076	15-18-0505	15-25-0547 – Warning Letter
15-00-0541	15-18-0513	15-29-0506 – Warning Letter
15-13-0401	15-18-0522	15-31-0239
15-18-0430	15-25-0410	15-31-0466
15-18-0479	15-25-0454	15-31-0500
15-18-0498	15-25-0489	15-35-0455

15-43-0442	15-48-0431	15-77-0472
15-43-0481	15-48-0540 – Warning Letter	16-18-1010
15-43-0488	15-52-0532	16-31-1054 – Warning Letter
15-47-0260	15-57-0476	16-69-1009 – Warning Letter
15-47-0464	15-70-0497	16-76-1005
15-48-0320	15-73-0463 – Warning Letter	

Prior to the vote to close the above listed cases, President Shaffer inquired as to whether any of the Board members had any personal knowledge that the cases that were being voted on today involve either themselves or a personal friend.

Roll call:

- Ann Aquillo – No
- Dr. Chambers – No
- Ms. Clark – No
- Dr. Das – No
- Dr. Hanners – Abstain
- Dr. Guttman – No
- Ms. Huber – No
- Ms. Johnston - No
- Dr. Shaffer– No
- Dr. Smith – No

President Shaffer then called for a motion to close the cases.

Motion by Ms. Johnston, second by Ms. Aquillo, to close the above thirty-five (35) cases.

Roll call vote:

- Ann Aquillo – Yes
- Dr. Chambers – Yes
- Ms. Clark – Yes
- Dr. Das – Yes
- Dr. Hanners – Abstain
- Dr. Guttman – Yes
- Ms. Huber – Yes
- Ms. Johnston - Yes
- Dr. Shaffer– Yes
- Dr. Smith – Yes

Motion carried unanimously.

90-Day Report

Ms. Nash then reviewed the 90-Day Report with the members. She stated that of the ninety (90) cases reflected in the report by age, 16% were between 90-119 days, 20% were 120-149 days old, 5% were 150-179 days old, and 59% were 180 days old or older. Ms. Nash reviewed the 90-Day Report by type with the Board members, indicating that of the major categories, there were 33% awaiting SIP review. She explained that 25% of the licensees were on probation, 9% were under review of an expert, 8% were waiting on records, 8% of the cases were pending consent agreements/notice of opportunity/QUIP, 6% were waiting on

issues/requested subpoenas, 2% of the cases were with police/prosecutors/Medicaid fraud, 3% were pending hearings or the Board was looking for an expert in the matter, and 6% were in other categories.

President Shaffer thanked Ms. Nash for the Enforcement Report and Update.

Licensure

License/Certification/Registration Report (Approved by the Licensure Section)

Samantha Slater, Licensing Assistant, had prepared a report of the licenses, certificates, and registrations issued since the previous Board meeting.

Dentist(s)

Motion by Ms. Johnston, second by Ms. Huber, to approve the licensure report for the following dental licenses issued by a regional board examination:

30.24661	Kelly Kirtland	02/01/2016
30.24662	Ellys Tronilo	02/05/2016
30.24663	Surabhi Chhibber	02/05/2016
30.24664	Hossein Aram	02/22/2016
30.24666	Mark Brunner	02/22/2016
30.24667	Thomas Dakermanji	02/22/2016
30.24668	Kimberly Hammersmith	02/22/2016
30.24669	Blake Johnson	02/22/2016
30.24670	Robert Rust	02/22/2016
30.24671	Jay Sadrinia	02/22/2016
30.24672	Sumeet Sandhu	02/22/2016
30.24673	Shikha Sohal	02/22/2016
30.24674	Michael Wilcko	02/22/2016

Motion carried unanimously.

Dental Hygienist(s)

Motion by Ms. Johnston, second by Ms. Huber, to approve the licensure report for the following dental hygiene licenses issued by a regional board examination:

31.15033	Jasleen Dhillon	02/01/2016
31.15034	Inez Waddell	02/01/2016
31.15035	Jessica Crick	02/22/2016
31.15036	Chelsea Gibson	02/22/2016

Motion carried unanimously.

Dental Assistant Radiographer(s)

Motion by Ms. Aquillo, second by Dr. Smith, to approve the licensure report for the following dental assistant radiographer certificates issued by: acceptable certification or licensure in another state, certification by the Dental Assisting National Board (DANB) or the Ohio Commission on Dental Assistant Certification (OCDAC), or successful completion of the Board-approved radiography course:

51.29488	Saudah Abdul Azlz	02/01/2016
51.29489	Madelyn Allison	02/01/2016
51.29490	Sondra Basso	02/01/2016
51.29491	Jamie Bauer	02/01/2016
51.29492	Maria Bohannon	02/01/2016
51.29493	Rhonicia Brittian	02/01/2016
51.29494	Shivani Butala	02/01/2016
51.29495	Megan Cervi	02/01/2016
51.29496	Teresa Chaney Boy	02/01/2016
51.29497	Ta'nia Copeland	02/01/2016
51.29498	Brittany Crockett	02/01/2016
51.29499	Derek Dickman	02/01/2016
51.29500	Jennifer Fessler	02/01/2016
51.29501	Alexis Gans	02/01/2016
51.29502	Pamela Gargano	02/01/2016
51.29503	Ta'naisha Gary	02/01/2016
51.29504	Jacquice Goddard	02/01/2016
51.29505	Eutiquia Mae Goodlett	02/01/2016
51.29506	Ashly Haney	02/01/2016
51.29507	Gabriella Hashman	02/01/2016
51.29508	Deja Hutchinson	02/01/2016
51.29509	Shardae Johnson	02/01/2016
51.29510	Tye Johnston	02/01/2016
51.29511	Stephanie Jue	02/01/2016
51.29512	Kelly Margaret	02/01/2016
51.29513	Aruna Khanal	02/01/2016
51.29514	Majesty Kistler	02/01/2016
51.29515	Megan Kovacs	02/01/2016
51.29516	Andrea Lacks	02/01/2016
51.29517	Charlotte Lawless	02/01/2016
51.29518	Lauren Lee	02/01/2016
51.29519	Olivia Markley	02/01/2016
51.29520	Elizabeth Marsh	02/01/2016
51.29521	Rachelle Matthews	02/01/2016
51.29522	Elizabeth Mediavilla	02/01/2016
51.29523	Austin Mertens	02/01/2016
51.29524	Alycia Miller	02/01/2016

51.29525	Dominique Mitchell	02/01/2016
51.29526	Sunny Patel	02/01/2016
51.29527	Tracey Rich	02/01/2016
51.29528	Abigail Robinson	02/01/2016
51.29529	Kailey Rosell	02/01/2016
51.29530	Lauren Sawdey	02/01/2016
51.29531	Kristen Schmucker	02/01/2016
51.29532	Katelynn Shepherd	02/01/2016
51.29533	Constance Simpson	02/01/2016
51.29534	Jaquel Smith	02/01/2016
51.29535	Aleah Spicocchi	02/01/2016
51.29536	Montanna Studer	02/01/2016
51.29537	Sharda Switzer	02/01/2016
51.29538	Erin Thompson	02/01/2016
51.29539	Kelsey Walker	02/01/2016
51.29540	Teliah Wallace	02/01/2016
51.29541	Jonathan Ward	02/01/2016
51.29542	Brandie Wisecup	02/01/2016
51.29543	Amber Wright	02/01/2016
51.29544	Allison Zimmerman	02/01/2016
51.29545	Ammal Abdi	02/12/2016
51.29546	Lobna Alassil	02/12/2016
51.29547	Brittney Baker	02/12/2016
51.29548	Adrienne Beard	02/12/2016
51.29549	Kelly Bemmes	02/12/2016
51.29550	Megan Brandt	02/12/2016
51.29551	Courtney Bowersock	02/12/2016
51.29552	Khayree Burks	02/12/2016
51.29553	Kaylah Chambers	02/12/2016
51.29554	Cindy Clemente	02/12/2016
51.29555	Christine Crossen	02/12/2016
51.29556	Emily Darmstadt	02/12/2016
51.29557	David Mykeyla	02/12/2016
51.29558	Keyaira Edwards	02/12/2016
51.29559	Hannah Fisher	02/12/2016
51.29560	Marisol Garcia Perez	02/12/2016
51.29561	Tiara Gugel	02/12/2016
51.29562	Nasro Haji	02/12/2016
51.29563	Sarah Hall	02/12/2016
51.29564	Nicole Handrahan	02/12/2016
51.29565	Kourtnie Hill	02/12/2016
51.29566	Phylicia Hughes	02/12/2016

51.29567	Tanesha Hughes	02/12/2016
51.29568	Leanna Iden	02/12/2016
51.29569	Cassandra Jackson	02/12/2016
51.29570	Alexus Johnson	02/12/2016
51.29571	Jennifer Kelly	02/12/2016
51.29572	Breanne Knight	02/12/2016
51.29573	Madison Mckinstry	02/12/2016
51.29574	Scarlett Moore	02/12/2016
51.29575	Taylor Murphy	02/12/2016
51.29576	Megan Neville	02/12/2016
51.29577	Brittany Nied	02/12/2016
51.29578	Tania Nieto	02/12/2016
51.29579	Alitzel Orozco Bueno	02/12/2016
51.29580	Mirna Ramirez	02/12/2016
51.29581	Chelsey Reed	02/12/2016
51.29582	Erika Rivas Portillo	02/12/2016
51.29583	Elisabet Ruiz	02/12/2016
51.29584	Najma Saidka	02/12/2016
51.29585	Jose Saucedo	02/12/2016
51.29586	Courtney Shimko	02/12/2016
51.29587	Marcella Skinner	02/12/2016
51.29588	Kaelie Smith	02/12/2016
51.29589	Emily Thacker	02/12/2016
51.29590	Jordan Thatcher	02/12/2016
51.29591	Trent Travis	02/12/2016
51.29592	Haley Vanmeter	02/12/2016
51.29593	Jolinda Watkins	02/12/2016
51.29594	Asianna White Rhodes	02/12/2016
51.29595	Natalie Williams	02/12/2016
51.29596	Sarah Sanders	02/12/2016
51.29597	Anam Ahmed	02/19/2016
51.29598	Ashley Barbour	02/19/2016
51.29599	Waynette Burns	02/19/2016
51.29600	Shawna Carter	02/19/2016
51.29601	Kaylyn Coffman	02/19/2016
51.29602	Sade'Dotson	02/19/2016
51.29603	Kelly Duong	02/19/2016
51.29604	Brittany Flannery	02/19/2016
51.29605	Emily Hershberger	02/19/2016
51.29606	Briana Hill	02/19/2016
51.29607	Eileen Hurtuk	02/19/2016
51.29608	Katelyn Irwin	02/19/2016

51.29609	Sara Mast	02/19/2016
51.29610	Lela Osborne	02/19/2016
51.29611	Michelle Rasnake	02/19/2016
51.29612	Kirstie Rice	02/19/2016
51.29613	Jessica Rodriguez-Velasquez	02/19/2016
51.29614	Brooklyn Smith	02/19/2016
51.29615	Katie Troth	02/19/2016
51.29616	Julie Vikre	02/19/2016
51.29617	Lauren Whitaker	02/19/2016
51.29618	Kimberly Wilson	02/19/2016

Motion carried unanimously.

Limited Resident's

Motion by Ms. Johnston, second by Dr. Das, to approve the licensure report for the following limited resident's licenses:

RES.3663	Marian Atef Nassef Khalil	02/24/2016
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Motion carried unanimously.

Coronal Polishing

Motion by Ms. Aquillo, second by Dr. Smith, to approve the licensure report for the following coronal polishing certificates issued by: certification by the Dental Assisting National Board (DANB) or the Ohio Commission on Dental Assistant Certification (OCDAC) and completion of the requirements necessary to obtain certification:

CP.1554	Larisa Brickey	02/22/2016
CP.1555	Amber Hough-Cantu	02/22/2016
CP.1556	Heather Dickson	02/22/2016
CP.1557	Shannon Evans	02/22/2016
CP.1558	Marie Fairchild	02/22/2016
CP.1559	Jordan Garza	02/22/2016
CP.1560	Valerie Harrison	02/22/2016
CP.1561	Jasmine Hill	02/22/2016
CP.1562	Stephanie Loos	02/22/2016
CP.1563	Cieara Malone	02/22/2016
CP.1564	Kristy Montgomery	02/22/2016
CP.1565	Emily Rayburn	02/22/2016
CP.1566	Rachelle Reed	02/22/2016
CP.1567	Tracy Rutherford	02/22/2016
CP.1568	Reyna Sanabria	02/22/2016
CP.1569	Ashley Schomaker	02/22/2016
CP.1570	Stephanie Snyder	02/22/2016

CP.1571	Samantha Stewart	02/22/2016
CP.1572	Ciara Tope	02/22/2016
CP.1573	Natalie Toth	02/22/2016
CP.1574	Concepcion Valdez-Estrada	02/22/2016
CP.1575	Jessica Williard	02/22/2016

Motion carried unanimously.

Expanded Function Dental Auxiliary

Motion by Ms. Johnston, second by Ms. Huber, to approve the licensure report for the following expanded function dental auxiliary registration issued by: certification by the Dental Assisting National Board (DANB) or the Ohio Commission on Dental Assistant Certification (OCDAC) and completion of the requirements necessary to obtain registration:

EFDA.2354	Nichole M. Longfellow	02/22/2016
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Motion carried unanimously.

Oral Health Access Supervision Permits

Motion by Ms. Johnston, second by Ms. Huber, that the following applicants have met the requirements necessary to obtain permits to practice under the oral health access supervision program:

Dentists

Michael Cook, D.D.S. – Sylvania
Emily Hudepohl, D.D.S. - Cincinnati

Dental Hygienists

Lisa Baldwin, R.D.H. – Toledo
Emily Mercer, R.D.H. – Cincinnati
Angela Reynolds, R.D.H. - Sidney

Motion carried unanimously.

Permits – General Anesthesia/Conscious Sedation

President Shaffer stated that the Board's Anesthesia Consultant, had vetted the following individuals who have applied for Anesthesia and Conscious Sedation permits, evaluations have been conducted, and the applicants are recommended to receive Permits for the specified modality.

General Anesthesia

Courtney Jatana, D.D.S. – Columbus, Ohio
Robert E. Klein, D.D.S. – Akron, Ohio
Sarah M. Leach, D.D.S. – Columbus, Ohio

Conscious Sedation

Daniel Claman, D.D.S. – Oral for children 12 years or younger

Stephen Denny, D.D.S. - Intravenous

Motion by Ms. Johnston, second by Ms. Clark, to grant permits to the applicants for General Anesthesia and Conscious Sedation Permits as listed for the specified modality.

Motion carried unanimously.

Reinstatement Application(s)

Michael Mermigas, D.D.S.

Motion by Ms. Johnston, second by Dr. Smith, to reinstate the license of Michael Mermigas, D.D.S. to practice dentistry in the state of Ohio.

Motion carried unanimously.

Leslie Washington, R.D.H.

Motion by Ms. Huber, second by Ms. Johnston, to reinstate the license of Leslie Washington, R.D.H. to practice dental hygiene in the state of Ohio.

Motion carried unanimously.

Committee Reports

Ad Hoc

Ms. Clark informed the members that the Ad Hoc Committee had met at 11:00 a.m. that morning with all members present. She stated that the Committee had reviewed twelve (12) resumes/curriculum vitae of dental licensees willing to become experts for the Board in reviewing cases and providing testimony during hearings. She stated that of the twelve (12) applications, the Committee is recommending approval for offering expert contracts to the following individuals:

1. General Dentists
 - a. Daniel Becker- General Dentist
2. Oral and Maxillofacial Surgeons
 - a. Bruce Fraser- Oral Surgeon
 - b. Robert M. Hinkle- Oral Surgeon
3. Orthodontists
 - a. Thomas Ahman-Orthodontics
 - b. James Gilsdorf- Orthodontics
4. Prosthodontists
 - a. Charles Vito Caponigro- Prosthodontist

Ms. Clark stated that the Committee had also discussed raising the rate of pay of the experts for reviewing of cases and testimony. She stated that Ms. Nash had provided some comparative rates of pay to assist the Committee in their discussions. Ms. Clark stated that the members were recommending that the rate of pay

for expert witnesses to be increased to \$100/hour for review of cases and \$150/hour for testimony. She expressed that these recommendations should be considered only after it is determined that the Board finances could support the increases.

Continuing on, Ms. Clark stated that the members also discussed drafting guidelines for future review of experts of the Board. She said that the Committee recommended minimum qualification guidelines for experts, including but not limited to the following:

1. Board experts must:
 - a. Hold a current license to practice dentistry, not necessarily in Ohio but if not, they must be familiar with Ohio law
 - b. Be currently practicing
 - c. Have a minimum of five (5) years of active practice
 - d. Be in good standing with their licensing jurisdiction
 - e. Be current in continuing education requirements
 - f. Have no conflict of interest
 - g. Provide a writing sample
 - h. Have a personal interview with Board staff, preferably Ms. Nash

Dr. Guttman questioned if there was a timeline as to how often the Board should consider reviewing and approving experts. President Shaffer commented the draft guidelines could address how often experts should be reviewed and how long they might remain as experts for the Board.

Ms. Clark informed the Board that the members briefly discussed the key priorities from the Strategic Plan Tracker that had been assigned to the Ad Hoc Committee. She indicated that President Shaffer had agreed to be the "Champion" of Priority #5, Establish new disciplinary guidelines. Ms. Clark felt that President Shaffer, as a former Board Secretary, understood the goals and objectives best and would do well in guiding them in this priority. Ms. Clark told the members that she would be championing Priority #2, Explore portability and reciprocity.

Motion by Dr. Hanners, second by Ms. Johnston to approve the Ad Hoc Board Operations Committee Report and those licensees listed as Board experts.

Motion carried unanimously.

Education

Ms. Johnston informed the Board members that the Education Committee had met earlier that morning at 9:00 a.m. She stated that the members had reviewed sponsor and course applications that had been submitted since the previous meeting in February 2016 for compliance with the requirements set forth in the Dental Practice Act and Board guidelines. Ms. Johnston informed the Board that there were three (3) Biennial Sponsor applications and five (5) Biennial Sponsor Renewal applications for 2016-2017, and one (1) coronal polishing course for the certified dental assistant that were being recommended for approval.

Biennial Sponsor Application(s)***2016-2017 Biennial Sponsor Application(s)***

C2 Carrie Times Carol

Nathan D. Mellion, D.D.S., M.S.D.

Zachary J. Mellion, D.M.D., M.S.D.

2016-2017 Biennial Sponsor Renewal Application(s)

Harris Periodontics and Implant Dentistry

Roger S. Karp, D.D.S., M.S.D.

Reza Miremadi, D.D.S., M.D.

Northern Hills Dental Study Club

Oral and Facial Surgery Associates, Inc.

Review of Course(s)***Coronal Polishing for the Certified Dental Assistant***

International Business College

“Expanded Function II – Coronal Polishing”

Continuing on, Ms. Johnston stated that the committee had been given two (2) priorities out of the Strategic Planning Retreat; Priority #3 Establish remediation education guidelines and Priority #4 Develop online C.E. tracking and monitoring. She stated that the members had already been working on both of these priorities during past meetings.

Ms. Johnston stated that during the meeting that day the members had discussed guidelines and criteria for remedial education providers. She informed the Board that the minimum requirements for remedial providers should include:

1. The remedial education provider must:
 - a. Hold an affiliation with an academic institution.
 - b. Have experience as an educator.
 - c. Hold a license to practice that is in good standing with their licensing jurisdiction.
 - d. Be able to produce written objectives.
 - e. Be an expert in the deficiency being remediated.
 - f. Be able to provide the Board with references.
 - g. Be able to identify underlying causes and deficiencies; and
 - h. Be able to provide a follow-up letter to the board attesting to the licensees remediated abilities.

Ms. Johnston stated that the members also agreed to create an application similar to that which is currently being used by the Education Committee for continuing education providers. She stated that the new application for a remedial provider will have these objectives on the application as a check list for meeting the requirements of the Board.

Ms. Johnston stated that the Committee had also discussed a rolling continuing education audit of possibly 100 audits per month. Ms. Johnson indicated that the board currently audits after licensure renewal, which requires the Board to review 1,500 audits at one time. She stated that they had also entertained modifying the renewal process and going to a rolling licensure renewal similar to how drivers licenses are renewed. Ms. Johnston stated that the new eLicensing program is projected to go live on July 1, 2016, and that may influence the online CE tracking, as to whether the Board would be utilizing the new eLicensing system or continue to use the online continuing education tracking program (The Dental Exchange) that the Board has been beta testing for audit purposes.

Motion by Dr. Hanners, second by Ms. Clark, to accept the report and to approve the applications and courses as presented.

Motion carried unanimously.

Law and Rules Review

Dr. Chambers informed the Board members that the Law and Rules Review Committee had met earlier this morning, and that the first order of business was to review the status update on the eighty-four rules submitted to CSI. He shared that CSI had originally stated that they would be done with the review in mid-February; however, they have not yet finished and according to our Deputy Director they will get back to the Board when they are finished.

Under new business, the committee wanted to acknowledge and thank Connie Clark and Lyndsay Nash for reviewing the jurisprudence examinations for dental and dental hygiene and making changes according to the statutory changes in bill 463.

The next order of business concerned Chapter 4715-5-06, Reports of Adverse Occurrences. Dr. Chambers stated that it was brought to the committee's attention that the Board needed to be more specific with regards to the definition and notification of an adverse occurrence. The committee worked on that issue and decided to have the Board's anesthesia consultant go over that language before it is submitted to the Board at a future meeting.

Finally, Dr. Chambers shared that the Law and Rules committee conducted a long discussion on Chapter 4715-18-01, paragraph 6, regarding Foreign Dental Graduates. The committee concluded that the basic science and laboratory examination will remain as it is and that at the next committee meeting the committee will discuss Chapter 4715-18-01, paragraph 7.

President Shaffer opened the floor for questions and concerns. Ms. Clark stated that she would like to add that Mindy Franks worked extensively on going through the jurisprudence exam as well and offered her thanks.

Motion by Ms. Clark, second by Ms. Johnston, to approve the Laws and Rules Review Committee report.

Motion carried unanimously.

Operations

Ms. Aquillo informed the Board members that the Operations Committee met earlier today in room 1918 at 10:00 AM. She stated that the committee did a follow up the Board's Strategic Plan discussion. Ms. Aquillo began by thanking the Board for everybody's help, time and effort on the Strategic Plan effort during the last meeting. She wished to especially thank Director Kamdar, Lyndsay Nash & Mindy Franks for all of their good work in getting the Board members prepared and for producing the documents that were looked at in committee and would be shared with the Board members today.

The first document put in front of the Board for approval were the minutes from the strategic planning retreat. Ms. Aquillo stated that the minutes were a very formal recap of what was done during the Strategic Planning Retreat at the state library.

The second document up for approval was the Strategic Map. As described by Ms. Aquillo, the Strategic Map was literally the output from that Strategic Planning Retreat, which was our vision, our mission, our core values and then specifically our key priorities for the next two years. Ms. Aquillo reiterated that these two documents were being submitted to the Board for approval.

The third document was the Strategic Plan Tracker. Ms. Aquillo stated that this document contained the key priorities that the Board has established for the next two years and the way the staff will implement each one.

Ms. Aquillo stated that the Strategic Plan Tracker was a newer, lengthy document, and that not everyone had time to review it, so the committee was not putting it before the Board for approval at this time. Ms. Aquillo explained that each of the key priorities had been assigned to one of the Board committees, and that she would like the chair of each committee to review the document and provide feedback. Specifically, Ms. Aquillo is asking the respective chairs to review the goals, objectives, measures, and timelines, and to make sure they are comfortable with them. Ms. Aquillo shared the assignments as follows: the Operations Committee has been assigned Priority 1, Priority 6, Priority 8 and Priority 10; the Ad-Hoc Committee has been assigned Priority 2 and Priority 5; the Education Committee has been assigned Priority 3 and Priority 4; the Scope of Practice Committee has been assigned priority 7; and, the Laws and Rules Committee has been assigned Priority 9. Ms. Aquillo asked that all feedback be provided to both her and Director Kamdar by April 1st, with the intent of formally accepting this Strategic Plan Tracker at the next Board meeting. Ms. Aquillo then turned the floor over to Director Kamdar to speak a little bit more to the Tracker.

Director Kamdar explained that the Strategic Plan Tracker was a newly created document that provided details supporting the Strategic Map. He reminded Board members that the Strategic Map was a 100,000 foot level view entailing the Board's vision, mission, core values and the ten key priorities selected at the Strategic Planning Retreat. He continued that each of the ten priorities has one or more goals assigned to it, and then the goals have objectives assigned to them. In some cases there aren't any objectives because the goals are pretty specific on their own.

Director Kamdar stressed that there were a few areas that he really wanted the Board members to focus on. First, he asked the Board to review the timelines, and to determine if these timelines were realistic.

Second, he called attention to the sections called Outcome Measures and Milestone Measures. Director Kamdar elaborated on these two terms, explaining that there was an Outcome Measure for each priority, to define, at the very highest level, what outcome we desire and how we measure it. Director Kamdar asked the Board members to focus on each Outcome Measure and ask themselves if it is accurately depicted. Director Kamdar stated that it was not always easy to come up with the best outcome measures and that they could mean different things to different people. He instructed the Board members to take a broad sweep at these in terms of wordsmithing, rewriting the Outcome Measures if necessary.

Director Kamdar then discussed Milestone Measures. There is a Milestone Measure for each goal under every priority. Milestone Measures are a way to put a measure on the table, so that even if a priority may not be met for another 1 ½ to 2 years, there are milestones along the way. He asked the Board members to take a look to see if we have come up with an accurate way to measure a milestone?

Director Kamdar also directed the Board members' attention to the Objective Timelines. He stated that the dates are all based on a quarterly system, so as to keep it easy in terms of tracking and monitoring deadlines, but that if anyone felt strongly that something needs to be moved, deadlines could be changed before the Strategic Plan is finalized. Director Kamdar shared that he would like to see the Board achieve goals well before the deadline whenever possible. He stated that in some cases the deadline is March 31, 2017, which means, for example, if statutes and rules need to be updated, we have to take it through the entire process, including working with other agencies such as CSI, JCARR, etc. He continued by sharing that we appreciate the work these other agencies do, and while recognizing that they also have a very busy workload, Director Kamdar would like to be able to share with them the timelines that the Board has come up with so that maybe they can move us up in the pecking order, if possible, because we need to show progress to our constituents.

Director Kamdar finished up by sharing that his recommendation would be to hold another Board member retreat in November to do two things, one: to evaluate whether this is working or not and how well are we doing, and two: before 2017 begins, the Board should look at these priorities again and ask if they are still relevant or whether new priorities need to be added. Director Kamdar stated that some members of the Board have shared that they do not feel that two years is a good enough outlook and that we need to be looking out five years or ten years. Director Kamdar indicated that the Board can discuss these long term goals and visions at the next retreat. Given the infancy of the process, he stated that it's best to learn how to crawl first before walking and learning how to walk before running.

Dr. Hanners and Ms. Aquillo had a brief discussion about the merits of the Strategic Plan Tracker. Overall they were very pleased with the way that the items that came out of the Strategic Planning Retreat were condensed and how well the SWOT analysis was integrated into a format that was very actionable.

Director Kamdar added that he had shared the ten priorities with the Board administrative staff and asked each of them to pick two or three priorities that they were most excited about so that staff can get behind this and work with the respective Board members to accomplish these goals.

Dr. Hanners raised a concern regarding the number of staff versus the amount of work to be done.

Director Kamdar stated that staff resources would be evaluated. He shared that he had seen documents from the past comparing this Board's staffing and resources to similar boards and that he knows where we stand on this. He continued that we're not here necessarily to expand and that the Board should see what we can do with what we have. Director Kamdar stated that he could provide so many examples of people who have really risen to the challenge. He told the Board that one could throw just about anything at them and they'll do it. Not only will they do it, they do a great job and come back and say "Hey, what else can I do?" He stated that he thought the Board was really blessed with some great people and that the Board has to continue to bring out the best in them, see how much the Board can get out of them and what their potential is, and then we can evaluate where we go from here.

Dr. Hanners questioned whether Director Kamdar was going to monitor that breaking point with the staff. Director Kamdar stated that he was.

Dr. Chambers and Director Kamdar had a brief discussion regarding the appropriate way to communicate with CSI.

Ms. Clark addressed Director Kamdar, stating that he had mentioned that individual staff had gravitated to certain priorities. She asked if he was going to identify those staff members to the chairs of the committees that had been assigned to these priorities so that the Board could partner with them. Director Kamdar stated that he absolutely would. He stated that the staff will meet again on Thursday, March 17th, that he would get the staff preferences at that time and would then share that information with the committee chairs.

Motion to approve the Operations Committee report, including the Strategic Planning Retreat minutes and the Strategic Map, by Ms. Johnston, second by Dr. Hanners.

Motion carried unanimously.

Policy

Ms. Johnston informed the Board members that the Policy Committee had met earlier today in room 1924. The only committee members able to attend were Ms. Clark, Dr. Guttman & Dr. Smith; therefore, they had a limited discussion.

Ms. Johnston stated that the members present discussed and approved the policy matrix and template provided by Director Kamdar. The committee thought that the template was excellent and well-formatted. Ms. Johnston also stated that the committee believed that the Board's policy manuals should cover three separate entities: one policy manual for the staff, one policy manual covering Board operations and one policy manual for our licensees. The committee also agreed that many, if not all, of the Board's current policies should be eliminated, and that although the policy manual for staff is under the Director's purview, it could be evaluated annually by the Board.

President Shaffer asked Ms. Johnston if part of the report was that the Board was to approve rescinding all of the Board's existing policies.

Ms. Johnston clarified that the committee was not asking the Board to rescind the policies at this time, but that the issue had been discussed.

Director Kamdar stated that, although it has not been assigned a specific priority, rewriting and reviewing policies is a very important undertaking. He continued that, although policies had not been assigned a specific priority, he felt that it is included under Priority 9, "Review and Update Statute and Rules," on the Strategic Map.

Ms. Johnston stated that the committee had come to the same conclusion.

Motion by Ms. Aquillo to approve the Policy Committee report, second by Ms. Clark.

Motion carried unanimously.

Scope of Practice

Dr. Das informed the Board members that the Scope of Practice Committee met this morning from 8:30 AM to 9:00 AM, and that the committee had reviewed three inquiries received by the Board.

First was an email from Dr. Metz regarding his concerns about dentists treating sleep apnea without formal and/or proper training. The committee decided that any dentist treating sleep apnea is held to the highest standard of care.

Second was a question regarding which personnel in the dental office can use the material Icon, which is used for treatment of incipient caries and white spots. The committee believes this has been addressed in laws and rules, specifically the rules that address the duties of basic qualified personnel, expanded function dental auxiliaries and dental hygienists.

Third was a question from a hygienist asking who can use Veloscope, which is a screening tool for oral cancer. The committee agreed that dental hygienists may conduct the screening; however, a dentist must read the results and make any diagnosis.

Motion by Ms. Clark to approve the Scope of Practice Committee report, second by Ms. Huber.

Motion carried unanimously.

Executive Updates

President's Update

Correspondence – Eric S. Lawrence, D.D.S.

President Shaffer began her report by informing the members that she had received a letter from Eric S. Lawrence, D.D.S. who had attended the February 4, 2016 Strategic Planning Retreat. She then read the brief letter to the Board members. [Appendix A]

Correspondence – American Dental Association (ADA) and American Dental Education Association (ADEA)

President Shaffer informed the members that she had received a joint letter from the American Dental Association (ADA), its Licensure Task Force and Council on Dental Education and Licensure and the American Dental Education Association (ADEA) regarding the conduct of our Board engaging in the restriction of licensure portability by not accepting the American Board of Dental Examiners (ADEX) examination administered by the Council of Interstate Testing Agencies, Inc. (CITA). She then read the letter to the Board [Appendix B].

Correspondence – Commission on Dental Competency Assessments E-mail Response to ADA/ADEA Letter

Continuing on, President Shaffer stated that she had also received an e-mail correspondence from Dave Perkins, D.M.D., Chairman of the Commission on Dental Competency Assessments (CDCA) as a response to the letter from the ADA and ADEA requesting the Board to “remind ADEA and the ADA that licensure portability is not the mandate of dental boards” but rather, protection of the public. She then read the email correspondence from Dr. Perkins. [Appendix C]

Dental and Dental Hygiene Jurisprudence Examinations

President Shaffer stated that she wanted to personally thank Deputy Director Lyndsay Nash, Ms. Connie Clark, and Ms. Mindy Franks for their wonderful work on updating the jurisprudence exams to comply with new statutes.

Ohio Dental Association Leadership Conference

President Shaffer acknowledged that while attending the Leadership Conference at the ODA on Saturday she met a number of people who shared nothing but positive comments about Director Kamdar attending for a portion of the afternoon (he had a prior engagement with the ODHA President therefore couldn't attend the entire conference) and Deputy Director Nash's presence for the entire afternoon. The people to whom she spoke were very appreciative and very impressed with the new leadership at the Board, and President Shaffer wanted this formally entered into the minutes.

Financial Disclosure Statements

President Shaffer reminded everyone that ethics statement financial disclosure is due in April. She informed the Board members that there is an online form that they could use, to make sure to get that filled out, and that the CDCA could provide an itemized statement of all the reimbursement if needed. Ms. Aquillo stated that she thought that in the past, a link and/or form was sent to them as a reminder, and asked if that was something that the Board office could do. Director Kamdar stated that we could. President Shaffer also asked for an additional reminder three to four days before the due date.

President Shaffer also reminded everyone that there was no meeting in April, so this could (but probably will not) be Dr. Hanners' last meeting. Because of that she wanted to read some information into the meeting minutes. President Shaffer informed the Board that Dr. Hanners is permitted by statute to serve sixty days after April. She stated that she would need his vote in May and June to vote on consents, and that the Board would be short of a quorum on almost all the votes if the Board lost him and someone else would be missing. She stated that she knew that Dr. Chambers would not be able to attend in May, so she asked that

everyone please keep this in mind in regards to absenteeism. President Shaffer also stated that hopefully the Board will receive some new appointees, and be able to get them up to speed. In the meantime, for those Board members who have been on all of these committees, if anyone had a particular interest in a single committee that they really wanted to be on, to please let her know, because when Dr. Hanners leaves, she will be redistributing, or if the Board gets a new member, she would have to distribute those and would hate to put a new member on something that another member had been waiting three years to be on and had a passion for it

Executive Director's Update

New Website

Director Kamdar stated that we were working feverishly, along with DAS and its staff, to get the new website up, and that we have another meeting with DAS on Monday. He stated we may be making the transition within the next two or three weeks, but that he wanted the Board to know that this would not be the final version of the website, we will see what it looks like, get Board member feedback, feedback from our customers, and, if necessary, we may have to contract out to a vendor. This is taking the most economical route, which is through the IT services provided by DAS, which do not come without charge.

Records Retention

Director Kamdar stated that the staff attended records retention training about a week ago in an effort to ensure that we understand what the record retention requirements are and that we are in compliance. He stated that we will work towards getting the Board into compliance. He thanked Lyndsay for arranging the training. Lyndsay stated that the training was provided by the Senior Records Custodian for the AG's office.

Licensing Transition

Director Kamdar stated that licensure transition was going well. He stated that Samantha Slater, our licensing assistant, is at the helm right now and doing a fine job. He invited the Board members to stop downstairs and introduce themselves if they hadn't met her. He stated that he would invite Ms. Slater to a future Board meeting so that she could get acquainted with them. He stated that Erica Pleiman, formerly Erica Tkac, was assisting Ms. Slater with licensure duties. He stated that we will take into consideration the future needs of the Board and make permanent announcements at the right time.

Dentist and Dental Hygienist Late Renewal Notices

Director Kamdar stated that we have, unbelievably, two hundred eighty four dentists that have not renewed their licenses yet, and we have sent them now the third and final reminder. He stated that we also have two hundred thirty seven dental hygienists that have not renewed, and we have now sent them a third and final reminder. He advised the Board that if they hear anything about this, we've done the very best we can to reach out to these people. He stated that we are very conscious of customer service, but that we are also very cognizant of what the law calls for and what the requirements are, so when April 1st rolls around they will no longer be licensed.

President Shaffer asked if, when we send notices that they are in arrears for renewing, do we also tell them that there is a formal policy to retire their license in that letter? Director Kamdar stated that he believed we had that highlighted in there.

Dr. Hanners asked if we were getting to them, making contact, or were they just blowing it off. Ms. Nash stated that we sent them a notice via regular mail, a notice that went out to everyone, so everyone, including the Board members, should have gotten that the first go-round. The people that did not renew by December 31, 2015, were sent a notice via certified mail, and there is a certain portion of those people who have not responded, so yesterday we sent out a blast email to those. As of yesterday, it was about three hundred fifty people in each category, so almost one hundred people responded yesterday wanting to retire their licenses. Ms. Nash stated that the problem was, if licensees do not update their addresses with the Board, then these certified letters are going to old addresses and we're not reaching them. Dr. Hanners, for clarification, asked if one hundred people had retired their licenses yesterday. Ms. Nash stated that as soon as the email blast went out, we received many emails from licensees saying that they wanted to retire their license. She stated that a lot of these people had moved out of state or were no longer interested, and that she thought we had captured everyone who wanted to renew and were still practicing, it was just a matter of cleaning up, but that we are doing everything we can to reach them.

Dr. Chambers stated that these people must have also ignored the part of the rules that require people to notify the Board within a specific amount of days that their address of work is changing.

Dr. Hanners stated that if they are not working, why would they have to do that, they're retired. Dr. Chambers clarified that he was talking about the other group of people that if their office addresses have changed they should have notified the Board anyhow. Dr. Chambers asked if it would make any sense to try to contact these people by phone. Director Kamdar asked how much we should expend in terms of resources. Dr. Chambers stated the if we compare the cost of making some phone calls versus the cost of sending out a second batch of registered letters, he didn't know what the differential would be between the cost of the phone time versus the cost of postage. Ms. Nash stated that, by statute, we have to send them out via certified mail, so that's why we did that. Ms. Nash stated that currently, licensees cannot go online and manually update their address now, but with the new eLicensing system they can, and that when they log on the system will ask if the address is current. Ms. Nash added that when we get to this new system, some of those issues we have with address changes and updates will hopefully go away.

Dr. Hanners stated that about five or six years ago, the Board talked a long time about fining those people and covering all that cost. He stated they discussed something like a one hundred fifty dollar fine, if the Board was to fine somebody, but that he didn't think it ever got passed. President Shaffer stated that the Board does not have the ability to fine.

Director Kamdar stated that we all have responsibilities, such as renewing our driver's license, and we do seem to find a way to get these renewed in a timely fashion. He stated that this was even a higher priority, in terms of renewing a professional license. He continued that he is a big believer in customer service, but you have to know when you've hit the top of the bell-shaped curve, and when you've gone way over on the other side and now you're at the point of diminishing returns. It is Director Kamdar's belief that after the third time we've reached the top of the bell-shaped curve. Dr. Chambers added, "Or perhaps one standard deviation to the right." Director Kamdar thanked Dr. Chambers for the levity.

Sunset Review Committee Meeting

Director Kamdar shared that the he Sunset Review Committee has us on the agenda to discuss statutes that govern the SIP ("Supervisory Investigative Panel") Panel, and it has to do with when that law was enacted in 2010, when we went from one secretary to two (secretary and vice-secretary). We were supposed to have been in front of them about three weeks ago but it was postponed to yesterday; however, Director Kamdar has been under the weather. They have another session scheduled for April 12th, so Director Kamdar will be in front of them on April 12th. Director Kamdar stated that he had already given them our written testimony, which is to continue those statutes as they work well.

Anything for the Good of the Board

Election of QUIP Coordinator

President Shaffer stated that Dr. Hanners' time on the Board was ending, that he would be missed and had been a good servant to the state. Although hoping he'll serve 60 more days, as the Board needs his guidance, in case he does not, it's time to elect a new QUIP Coordinator. President Shaffer opened the floor to any nominations for the office.

Motion by Dr. Das, second by Ms. Clark, to nominate Patricia Guttman, D.D.S. as the new QUIP Coordinator for the rest of calendar year 2016.

Motion by Dr. Hanners to nominate Chuck Smith, D.D.S. as the new QUIP Coordinator for the rest of calendar year 2016. This motion failed for a lack of second.

Hearing no further nominations, President Shaffer stated that they were ready to vote for the new QUIP Coordinator.

Motion to elect Dr. Guttman as QUIP Coordinator carried unanimously.

President Shaffer thanked Dr. Guttman and stated that Dr. Guttman could begin to work with Dr. Hanners on the transition process.

American Association of Dental Boards Mid-year Meeting – April 10 - 11, 2016

President Shaffer asked if there was anything else for the good of the Board before she took a motion to adjourn. Ms. Huber asked about the dates for the Chicago meeting mentioned earlier. President Shaffer stated that they were April 11 and 12, 2016; that the meeting was half a day on Sunday and half a day on Monday morning. Ms. Johnston clarified that the meeting was on Sunday, April 10, 2016 and Monday, April 11, 2016. Dr. Hanners stated that this was an important meeting. President Shaffer stated that she thought that there has never been a more tenuous time for their profession, that their profession, and how they are going to see over their profession, see over the health of the public, see the safety of their profession, there is a huge movement that is an anti-board or anti-regulatory movement going on in this country. President Shaffer continued that she was a little bit for deregulation, or smaller regulation, or more concise regulation, but that she also thought that no regulation is called chaos, and she was not a proponent of that, so this is the best information they will get about what's happening in other states, what's going on in the pulse of the changes that are happening fast. Usually the ADA President addresses, usually someone from ADEA

addresses, and then typically the president gives the state of the state, and that it is a very good learning experience. President Shaffer again stated that the dates were Sunday, April 10, 2016 and Monday, April 11, 2016. Ms. Huber asked if President Shaffer was still looking for someone to attend. President Shaffer stated yes, that there is a position was available from the ADA as a delegate from the board that she believed paid a certain amount of the hotel and flight. Director Kamdar interjected that he believed that that timeline had come and gone, but that we could inquire if Ms. Huber was still interested. Ms. Huber stated that she was interested in knowing more. President Shaffer advised Ms. Huber to work with the Director. Dr. Hanners and President Shaffer reiterated that this is a very important meeting. President Shaffer stated that there are a lot of players in the profession right now, and because the profession has moved so slowly, she doesn't think anyone understands how rapidly things are changing, and if they weren't good stewards, they may not have a profession, so she believes leaders in dentistry need to take all the information they can get.

Adjourn

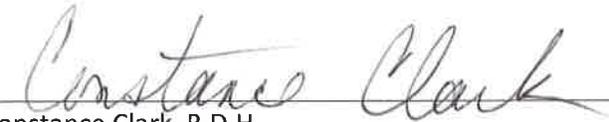
Motion by Ms. Clark, second by Dr. Das, to adjourn the meeting.

Motion carried unanimously.

President Shaffer adjourned the meeting and reminded the Board members that their next meeting would be May 18, 2016.



Marybeth Shaffer, D.D.S.
President



Constance Clark, R.D.H.
Vice President

Appendix A
Correspondence – Eric S. Lawrence, D.D.S.

ERIC S. LAWRENCE, D.D.S.



Specialist in Orthodontics
Orthodontics For Youth and Adults
Surgical Orthodontics
Temporo-Mandibular Joint (TMJ) Disorders
Oro-facial Orthopedics

February 8, 2016

Dr. Mary Beth Shaffer
320 Columbia St.
Lectonia, OH 44431

Dear Mary Beth,

It was great seeing you again at the State Dental Board retreat. It was both enjoyable and enlightening. I wish all dentists in the state could see how "real" the board members are and how seriously they take their commitment and diligently work. The board is headed in a great direction under your leadership.

Thank you for making me feel comfortable as I observed the retreat.

Sincerely,

Eric S. Lawrence, D.D.S.

Appendix B

Correspondence – American Dental Association and American Dental Education Association

**ADA American
Dental
Association®**
America's leading
advocate for oral health

ADEA | THE VOICE OF
DENTAL EDUCATION

February 26, 2016

Dr. Marybeth D. Shaffer
President
Ohio State Dental Board
Riffe Center, 77 S. High Street
17th Floor
Columbus, OH 43215-6135

Dear Doctor Shaffer:

We are writing to express the high level of concern that the American Dental Association (ADA), its Licensure Task Force and Council on Dental Education and Licensure, and the American Dental Education Association (ADEA) have with regard to the status of licensure for dentists in the United States. While licensure portability is an important matter to dental professionals, particularly to those pursuing initial licensure or attempting to relocate to another state, it is clear that the dental boards of a number of states, including your own, continue to engage in conduct that restricts, rather than enhances, that portability.

As you know, there are five clinical test administration agencies for dentistry: the Commission on Dental Competency Assessments (CDCA, formerly NERB); Central Regional Dental Testing Service, Inc. (CRDTS); Council of Interstate Testing Agencies, Inc. (CITA); the Southern Regional Testing Agency, Inc. (SRTA); and the Western Regional Examining Board (WREB). The ADA has conducted a careful analysis of the examinations administered by each of the clinical testing agencies (CDCA and CITA administer the American Board of Dental Examiners (ADEX) dental exam, while CRDTS, SRTA, and WREB administer their own exams) and has come to the conclusion that these examinations adhere to a common set of core design and content requirements that renders them conceptually comparable. In particular, each agency:

- utilizes the *Standards for Educational and Psychological Testing* as the guidelines for evaluating the validity of their exams;
- produces a publically available technical report that documents and summarizes available validity and reliability evidence concerning the examinations;
- utilizes conjunctive scoring, requiring candidates to pass each of a series of tests in order to pass the full examination;
- conducts a practice analysis on a regular basis to ensure that test content reflects normal, everyday tasks performed in general dental practice;
- reduces examiner bias and enhances fairness by ensuring that examiners do not know the identity of the candidate whose performance they are evaluating;

Dr. Marybeth D. Shaffer
February 26, 2016
Page 2

- requires three examiners to evaluate performance on each exam and sub-exam;
- requires examiners to participate in calibration exercises to align examiner perspectives and provide a common frame of reference;
- conducts prospective and retrospective evaluations of examiner consistency and reliability;
- makes a determination of candidate minimal competency in restorative dentistry on a patient-based exam for a Class III composite resin preparation and restoration and either a Class II amalgam or composite resin preparation and restoration;
- makes a determination of candidate minimal competency in periodontics on a patient-based exam for scaling and root planning; and
- utilizes simulation to determine minimal competency in prosthodontics (crown preparation) and endodontics.

Given the aforementioned commonality in design and content requirements, any apparent differences in the performance of these clinical examinations can be called into question and potentially interpreted as simply reflecting sampling error. In light of this, accepting the results from certain clinical examinations and not others appears specious. It has been a longstanding policy of the ADA that it represents unnecessary and meaningless duplication to require a candidate seeking licensure in different states to demonstrate his or her theoretical knowledge and clinical skill on separate examinations for each jurisdiction, especially when it is clear that the core requirements, administration, and outcomes are virtually indistinguishable between each examination.

It is our understanding that your state affirmatively elects not to accept the examination results from all of these test administration agencies. The decision of your board, as well as the boards of a number of other states, to accept the test results of only a select number of clinical test administration agencies appears highly arbitrary. Moreover, those decisions have an arguably anticompetitive effect in restricting the mobility of dentists wishing to move from one state to another. As you know, the whole concept of licensure is currently under attack because of its inherent effect on competition; it is therefore incumbent on the dental profession to ensure that any such restraints are not susceptible to a claim that they are unreasonable in nature. Indeed, the House of Delegates of the American Bar Association recently passed a resolution urging bar admission authorities in various states to adopt a Universal Bar Examination in order to facilitate mobility for new lawyers. This concept of mobility among professionals is obviously gaining additional momentum.

In light of these circumstances, we respectfully request that your Board pursue the necessary steps to accept successful completion of all of the clinical test administration agency examinations for dental licensure in your state. Recognizing that the dental board's primary mission is protecting the public in your state, we believe that the board has the authority and autonomy to pursue this change. It will increase portability of dental professionals and access to quality dental care for patients.

Dr. Marybeth D. Shaffer
February 26, 2016
Page 3

We would be pleased to meet with you or your board to further discuss this matter.

Sincerely,



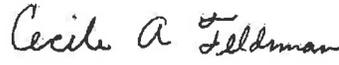
Carol Gomez Summerhays, D.D.S., M.A.G.D.
President
American Dental Association



Huw F. Thomas, B.D.S., M.S., Ph.D.
Dean, Tufts University School of Dental Medicine
Chair of the ADEA Board of Directors



Gary L. Roberts, D.D.S.
President-elect



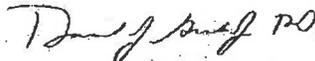
Cecile A. Feldman, D.M.D., M.B.A.
Dean, Rutgers School of Dental Medicine
Chair-elect of the ADEA Board of Directors



Gary E. Jeffers, D.M.D., M.S.
Chair
2016 ADA Licensure Task Force



Lily T. Garcia, D.D.S., M.S., FACP
Associate Dean for Education
University of Iowa College of Dentistry
Immediate Past Chair of the ADEA Board of Directors



Daniel J. Gesek, Jr., D.M.D.
Chair
Council on Dental Education and Licensure

KMH:eg

cc: Mr. Harry Kamdar, executive director, Ohio State Dental Board
Dr. Christopher M. Connell, president, Ohio Dental Association
Mr. David Owsiany, executive director, Ohio Dental Association
Dr. Joseph P. Crowley, ADA Trustee, Seventh District
Dr. Kathleen O'Loughlin, executive director and chief operating officer (ADA)
Dr. Richard W. Valachovic, president and chief executive officer (ADEA)

Appendix C

Correspondence – Commission on Dental Competency Assessments

Print

Page 1 of 2

Subject: In response to the recent ADA/ADEA letter

From:

To:

Date: Monday, March 7, 2016 5:48 PM



THE COMMISSION ON DENTAL COMPETENCY ASSESSMENTS

1304 CONCOURSE DRIVE, SUITE 100 | LINTHICUM, MD 21090
TEL: 301-563-3300 | FAX: 301-563-3307
cdcaexam.org

March 7, 2016

Dr. Marybeth Shaffer

320 Columbia Street

Lectonia, OH 44431

Dear State Board President,

As chairman of the CDCA, I feel it is necessary for me to respond to the ADA/ADEA letter that was recently sent to your state board. The letter appeals to your state board to recognize all regional testing boards for licensure in your state. As you know, the qualifications for licensure in your state are determined solely by your state. Determining qualifications is a public health issue for states and is not the role of the ADA or ADEA.

ADEX was originally developed with the intention that ALL regional boards would administer the same examination with the same content, scoring and criteria. The NERB (now the CDCA) supported that initiative then and continues to support ADEX today, as do over 30 state dental boards. It is currently administered by both CDCA and CITA. For whatever reason, the other testing agencies have decided not to participate in ADEX. If they did, there would be a national exam.

The ADA/ADEA letter would have you believe that there are no differences in the regional examinations. However, there are significant differences in the present regional examinations. As an example, one agency specific examination does not have a clinical performance prosthodontic component in their examination.

Print

Page 2 of 2

By accepting all regional examinations, the candidate can select the threshold for licensure in your state rather than the state determining what the necessary qualifications for licensure in your state should be.

As a former dental board member, I think that when your dental board considers this request, it might be the opportunity to remind ADEA and the ADA that licensure portability is not the mandate of dental boards. The statutorily mandated mission is to protect the public in your state, not that a prospective applicant has the ability to move freely about the country and choose their personal preference in a dental board examination.

The ADEX examination is the most widely recognized and accepted examination in the country. It is also the most comprehensive dental licensure examination consisting of 4 parts, all of which must be successfully passed, as well as optional skill sets in response to state requirements. The parts include a 6 hour diagnosis and treatment planning and medical consideration computer-based examination, a manikin based examination in endodontics and prosthetics as well as 2 restorative procedures and a periodontal scaling procedure on a patient.

I believe, contrary to ADEA and the ADA, that all state boards should only recognize the most comprehensive examination, not recognize all exams. If all states did this, there would be universal portability without compromising the protection of the public.

Sincerely,



Dave Perkins, DMD

Chairman

CONNECTICUT | DISTRICT OF COLUMBIA | FLORIDA | HAWAII | ILLINOIS | INDIANA | KENTUCKY | MAINE | MARYLAND | MASSACHUSETTS
MICHIGAN | MISSISSIPPI | NEVADA | NEW HAMPSHIRE | NEW JERSEY | NEW MEXICO | NEW YORK | OHIO | OREGON
PENNSYLVANIA | RHODE ISLAND | VERMONT | WEST VIRGINIA | WISCONSIN
COMMONWEALTH OF JAMAICA

Attachments

- image001.jpg (14.87KB)
- image002.jpg (1.45KB)
- image003.jpg (12.07KB)